

## DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

## NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority set forth in D.C. Official Code § 47-2853.10 (a)(12) and Mayor's Order 2000-70, dated May 2, 2000, hereby gives notice of the intent to adopt, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*, amendments to 17 DCMR Chapter 23 (Real Estate Appraisers). This proposed rulemaking is necessary to update the District of Columbia's Real Estate Appraiser regulations to reflect recent changes to industry standards implemented by the Appraisal Foundation's Appraisal Qualifications Board. The Appraisal Foundation is congressionally authorized to establish and enforce national standards and qualifications for real property appraisers who appraise real property in federally related real estate transactions. All jurisdictions that license real estate appraisers must adopt standards that meet the minimum industry requirements established by the Appraisal Qualifications Board (AQB).

**Title 17 DCMR Chapter 23 is amended as follows:****Section 2300.2 is amended to read as follows:**

- 2300.2 17 DCMR Chapter 33 (General Rules) shall supplement this chapter and establish the procedural requirements associated with initiating and holding disciplinary proceedings against licensees. In the event that a provision within 17 DCMR Chapter 33 conflicts with this chapter or the Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.01 *et seq.* (2001)) (the Act), the applicable provision within this chapter or the Act shall control.

**Section 2302.1 is amended to read as follows:**

- 2302.1 Prior to applying for licensure applicants for the Appraiser Trainee classification shall fulfill the requirements set forth in § 2323 of this chapter.

**Section 2302.2 is amended to read as follows:**

- 2302.2 Applicants for the Licensed Residential Real Property Appraiser classification shall complete one hundred fifty (150) classroom hours of courses in subjects related to real estate appraisal, including those subjects listed in § 2302.10.

**Section 2302.3 is amended to read as follows:**

- 2302.3 Applicants for the Certified Residential Real Property Appraiser classification shall complete two hundred (200) classroom hours in subjects related to real estate appraisal, including those courses listed in § 2302.10. The two hundred (200) classroom hours may include the one hundred fifty (150) classroom hour requirement

for the Licensed Real Property Appraiser classification. Applicants shall also have at least a two-year associate's degree or have completed twenty-one (21) hours of college course work. The twenty-one (21) hours of college course work shall have been earned from an accredited college, junior college, community college, or university in the following subjects:

- (a) English composition;
- (b) Principles of economics (Micro or Macro);
- (c) Finance;
- (d) Algebra, geometry, or higher mathematics;
- (e) Statistics;
- (f) Introduction to computers, Word processing/spreadsheets; and
- (g) Business or real estate law.

**Section 2302.4 is amended to read as follows:**

2302.4 Applicants for the Certified General Real Property Appraiser classification shall complete three hundred (300) classroom hours of courses in subjects related to real estate appraisal, including those courses listed in § 2302.10. The three hundred (300) hours may include the one hundred fifty (150) classroom hours required for the Licensed Residential Appraiser classification or the two hundred (200) classroom hours required for the Certified Residential Real Property Appraiser Classification. Applicants shall also possess at least a bachelor's degree or have completed thirty (30) hours of college course work earned from an accredited college, junior college, community college, or university in the following subjects:

- (a) English composition;
- (b) Microeconomics;
- (c) Macroeconomics;
- (d) Finance;
- (e) Algebra, geometry, or higher mathematics;
- (f) Statistics;
- (g) Introduction to computers, Word processing/spreadsheets;
- (h) Business or real estate law; and
- (i) Two (2) elective courses in accounting, geography, ag-economics, business management, or real estate.

**Section 2302.12 is amended to read as follows:**

2302.12 Curriculum content for each course listed in § 2302.10 shall comply with the applicable portions of the Required Core Curriculum Content Guide Note published

by the Appraisal Foundation and the AQB as part of the Real Property Appraiser Qualification Criteria. The Board may add additional requirements to the curriculum of any license classification if the Board's additions substantially comply with AQB criteria. Additions to the curriculum content shall be effective only after the Department has published a Notice of Final Rulemaking in the *D.C. Register*.

**Section 2303.3 is amended to read as follows:**

- 2303.3 Courses offered by real estate appraisal or real estate related organizations deemed acceptable by the Board shall be acceptable for credit.

**Section 2303.4 is amended to read as follows:**

- 2303.4 Appraisal and appraisal related courses taught by institutions of higher learning recognized by an accrediting body approved by the Secretary of the United States Department of Education shall be acceptable for prelicensure or precertification credit if the course has been approved by the AQB.

**Section 2303.5 is amended to read as follows:**

- 2303.5 All courses approved by the AQB shall be acceptable for credit.

**Section 2304.12(b) is amended to read as follows:**

- (b) 100% credit for a whole real estate or real property appraisal if the appraiser did 100% of the appraisal;

**Section 2306.1 is amended to read as follows:**

- 2306.1 Pursuant to Section 1121 of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, 12 U.S.C. § 1811, and the Act, the Board shall issue an individual a temporary license if the individual completes an application provided by the Board and provides documentation that he or she meets the following requirements:
- (a) The individual is licensed or certified and in good standing under the laws of another state;
  - (b) The property to be appraised by the individual is part of a federally related transaction, is located in the District, and the assignment and property are specifically identified in the application;
  - (c) The appraisal assignment is of a temporary nature and is limited to one (1) specific assignment or six (6) months, whichever is shorter;
  - (d) Upon completion of the assignment, the temporary license is surrendered to the Board; and
  - (e) The individual pays the applicable fee.

**Section 2306.4 is amended to read as follows:**

2306.4 An individual shall not hold more than two (2) temporary licenses at a time.

**Section 2309.1 is amended to read as follows:**

2309.1 At least sixty (60) days prior to the expiration of a license, the Board shall send a renewal application by first class mail to the holder of a license at the licensee's address on record with the Board.

**Section 2309.4 is amended to read as follows:**

2309.4 The failure of a holder of a license to receive the notice required by § 2309.1 of this section does not relieve the holder of the responsibility of renewing the license.

**Section 2309.8 is amended to read as follows:**

2309.8 Denial of an application for renewal for failure to complete the continuing education requirements shall require the applicant to complete the continuing education requirements prior to submitting an application for reinstatement pursuant to § 2310 of this chapter.

**Section 2310.1 is amended to read as follows:**

2310.1 Except as provided in § 2310.2, this section shall apply to all applicants for the renewal or reinstatement of each license classification.

**Section 2310.2 is amended to read as follows:**

2310.2 An applicant for renewal or reinstatement of a real estate appraiser license shall be required to satisfactorily complete continuing education courses according to the following schedule:

- (a) Applicants obtaining a license one hundred eighty-five (185) days or less from the renewal date required by the license cycle are not required to complete any hours of continuing education for that license cycle;
- (b) Applicants obtaining a license during the last twelve (12) months of a license cycle, but before the one hundred eighty-five (185) day period must complete fourteen (14) hours of continuing education for that license cycle; and
- (c) All other licensees must complete the full twenty-eight (28) hours of continuing education for the license cycle.

**Section 2310.3 is amended to read as follows:**

2310.3 Repealed.

**Section 2310.7 is amended to read as follows:**

2310.7 Repealed.

**Section 2310.8 is amended to read as follows:**

2310.8 Continuing education credit for the National USPAP Update Course shall only be awarded to licensees completing USPAP continuing education courses taught by an AQB certified instructor.

**Section 2312.2 is amended to read as follows:**

2312.2 The Board may approve educational offerings that include, but are not limited to, the following real estate related appraisal topics:

- (a) Ad valorem taxation;
- (b) Arbitration, dispute resolution;
- (c) Courses related to the practice of real estate appraisal or consulting;
- (d) Development cost estimating;
- (e) Ethics and standards of professional practice, USPAP;
- (f) Land use planning, zoning;
- (g) Management, leasing, timesharing;
- (h) Property development, partial interests;
- (i) Real estate law, easements, and legal interests;
- (j) Real estate litigation, damages, condemnation;
- (k) Real estate financing and investment;
- (m) Real estate appraisal related computer applications; and
- (n) Real estate securities and syndication.

**A new section 2312.6 is added to read as follows:**

2312.6 A sponsor of a continuing education program shall submit a completed application to the Board no less than sixty (60) days prior to the date of the presentation for each program for which the sponsor seeks approval.

**Section 2317.1 is amended to read as follows:**

- 2317.1 In accordance with the requirements of Section 1109 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. § 3338), \$50.00 (fifty dollars) of the biennial renewal fee assessed for all licensed and certified real estate appraisers, except licensed appraisal trainees, shall be submitted by the Department to the Appraisal Subcommittee.

**Section 2320.2 is amended to read as follows:**

- 2320.2 An appraiser instructor of a preclicensing (residential appraisal) course shall possess one hundred five (105) classroom hours of real estate appraisal education and two thousand (2,000) hours experience as a residential real estate appraiser within the previous five (5) years.

**Section 2320.3 is amended to read as follows:**

- 2320.3 An appraiser instructor of a precertification (general appraisal) course shall possess two hundred five (205) classroom hours of real estate appraisal education and two thousand (2,000) hours experience as a general real estate appraiser within the previous five (5) years, with at least one-half of such experience being in income property appraising.

**Section 2322.2 is amended to read as follows:**

- 2322.2 The Board may authorize the Fund to be used for expenditures for conferences, workshops, and educational programs for real estate appraisal officials as provided in §§ 2322.3 and 2322.4.

**Section 2322.4 is amended to read as follows:**

- 2322.4 The Board may use the Fund to pay the entire permissible cost for a real estate appraisal official, whose duties relate in whole or in part to the enforcement of real estate appraisal license laws, to participate in a conference, workshop, or educational program that the Board determines is qualified pursuant to § 2322.5.

**Section 2323.1(a)(5) is amended to read as follows:**

- 2323.1(a)(5) The core curriculum of the preclicensure education requirements that appraiser trainees must complete prior to applying for licensure are thirty (30) hours in Basic Appraisal Principles, thirty (30) hours in Basic Appraisal Procedures, and the fifteen (15) hour National USPAP Course or its equivalent. The content of the curriculum offered in the courses, seminars, workshops, or conferences used by an appraiser trainee to meet the preclicensure education requirements shall follow the guidelines established by the AQB in the publication known as AQB Guide Note 1 (GN-1).

**Section 2324.1 is amended to read as follows:**

- 2324.1 If the Board, subject to the applicant or licensee's right to a hearing as provided by the Act, finds that an applicant or licensee has violated any applicable provision of this chapter or the Act, the Board may deny an application, revoke or suspend a license or privilege, levy a civil penalty, issue a reprimand, require a course of remediation, or refer an applicant or licensee to the Office of the Attorney General for criminal prosecution.

**Section 2324.2 is amended to read as follows:**

- 2324.2 The Board may, prior to a hearing but after an investigation, issue an order requiring any person alleged to be in violation of this chapter or the Act to cease and desist immediately from the alleged activity if the alleged activity has caused or may cause immediate or irreparable harm to the public. The Board shall deliver the order to the person affected pursuant to the provisions of D.C. Official Code § 47-2844.01.

**Section 2324.4 is amended to read as follows:**

- 2324.4 If the Director suspends or restricts a licensee's license or certification to practice pursuant to § 2324.3 of this chapter, the licensee is entitled to notice and a hearing pursuant to the provisions of D.C. Official Code § 47-2853.18.

**Section 2399 is amended as follows:**

A new definition of "AQB" is added to read as follows:

**AQB** – the Appraisal Qualifications Board.

The definition of "classroom hour" is amended to read as follows:

**Classroom hour** - A classroom hour is equal to fifty (50) minutes of each sixty (60) minute segment and includes time devoted to tests that are considered part of the course.

The definition of "distance education" is deleted.

The definition of "feasibility analysis" is deleted.

The definition of "fee appraisal" is deleted.

A new definition of "Fund" is added to read as follows:

**Fund** – the Appraisal Education Fund.

The term "real estate consulting" is amended to read as follows:

**Real estate appraisal consulting**

The definition of "staff appraisal" is deleted.

All persons desiring to comment on these proposed regulations should submit comments in writing to Paul Waters, Legislative Liaison, Department of Consumer and Regulatory Affairs, Suite 9400, 941 North Capitol Street, NE, Washington, D.C. 20002, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above.



## DISTRICT DEPARTMENT OF THE ENVIRONMENT

## NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of the Environment (DDOE) in accordance with the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code 8-151.01 *et seq.*), and the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code §§ 34-2202.06a, 34-2202.06b, and 34-2202(16), and Mayor's Order 6006-61, effective June 14, 2006, hereby gives notice of his intent to establish stormwater fees.

On June 26, 2008, the Council enacted legislation, the Fiscal Year 2009 Budget Support Act of 2008 (D.C. Act 17-419, 55 DCR 7598, July 18, 2008). Section 6009 of that Act amended Section 216(d) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.16(1)), giving the D.C. Water and Sewer Authority (WASA) the authority to collect a stormwater charge established by the Director of the District Department of the Environment. The Fiscal Year 2009 Budget Support Act of 2008 (D.C. Act 17-419) is expected to become law on September 15, 2008. With this proposed rulemaking, the Director of DDOE is proposing new stormwater fees to be collected by the DC Water and Sewer Authority (WASA). The Director is proposing that the new regulation be published in Chapter 5 of the District of Columbia Municipal Regulations (DCMR) (Water Quality and Pollution), and that the stormwater fee increase become effective on October 1, 2008.

The proposed rulemaking is being adopted to increase the stormwater fee to fund stormwater management activities required to comply with the municipal separate storm sewer system permit (MS4 Permit) issued by the U.S. Environmental Protection Agency (EPA) to the District. The MS4 Permit requires the District to implement a wide range of stormwater management activities to restore the District's streams and rivers. The MS4 Permit activities extend to approximately two-thirds of the city's stormwater control infrastructure. Funding raised by the stormwater fees are directed to DDOE, the District Department of Transportation, the Department of Public Works, WASA, and other agencies to implement stormwater management activities and water pollution control measures, such as enhanced street cleaning, installation of stormwater controls on roadways, and increased cleaning and maintenance of stormwater drains.

An increase in the stormwater fee is needed to generate the approximately \$13 million necessary to meet increased federal requirements for controlling stormwater pollution. The stormwater fee was first enacted by the Council in 2001 and has raised approximately \$3.1 million in revenue each year. The fee has not been increased since 2001. By contrast, the District's stormwater management responsibilities have grown considerably since 2001. The failure to generate sufficient revenue will restrict the District's ability to implement the stormwater management measures required by the MS4 Permit, and could lead to violations by the District and substantial fines. The

required stormwater management measures and associated costs are best illustrated by the provisions of the November 2007 MS4 Permit Enhancement Agreement between the District and the U.S. EPA Region III (available on the DDOE website at [http://ddoe.dc.gov/ddoe/frames.asp?doc=/ddoe/lib/ddoe/stormwaterdiv/DC\\_BMP\\_Enhancements\\_Letter\\_Agreement\\_112707.pdf](http://ddoe.dc.gov/ddoe/frames.asp?doc=/ddoe/lib/ddoe/stormwaterdiv/DC_BMP_Enhancements_Letter_Agreement_112707.pdf)) and the 2008 Storm Water Management Administration Study conducted by RESOLVE, Inc. (available on the DDOE website at <http://ddoe.dc.gov/ddoe/cwp/view,a,1209,q,497549.asp>). Under the 2007 MS4 Permit Enhancement Agreement, there are more than 50 measureable and quantifiable milestones with specific deadlines, including constructing 17 low impact development projects by August 19, 2009; retrofitting 50 catch basins to control trash by February 19, 2009; and planting at least 4,150 trees per year. Copies of both documents may also be obtained by calling DDOE at (202) 535-2600.

All persons desiring to comment on the proposed rulemaking should file comments in writing not later than (30) days after the publication of this notice in the D.C. Register. Comments should be clearly marked "Stormwater Fees" and filed with the District Department of the Environment, Watershed Protection Division, 51 N Street, N. E., 5<sup>th</sup> Floor, Washington D.C. 20001, Attention: Dr. Hamid Karimi, or e-mailed to [hamid.karimi@dc.gov](mailto:hamid.karimi@dc.gov). Copies of the above documents may be obtained from DDOE at the same address. The Director will consider all comments received before publishing a final rulemaking.

The public may also present its views and comments on the proposed fee increases at a September 15, 2008 public hearing. A separate notice of the hearing is being published in today's D.C. Register. The Director will consider all written and oral comments received in the hearing prior to publishing final rulemaking.

Chapter 5 of Title 21 of the District of Columbia Municipal Regulations, Water Quality and Pollution, is amended by adding new sections and definitions as follows:

**553 NOTICE OF PROPOSED STORMWATER FEE RATE CHANGE AND PUBLIC HEARING**

553.1 Except as provided in § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968, D.C. Official Code § 2-505(c), before establishing or changing fees used to fund the District's costs of complying with the National Pollution Discharge Elimination System permit for the municipal separate storm sewer system (MS4 Permit), including the costs of the Stormwater Administration, the Water and Sewer Authority's costs for billing and collecting the stormwater fee, and all administrative, operating, and capital costs associated with the stormwater management activities in the District of Columbia, the Director shall first publish notice of his or her intention to do so in the D.C. Register. The notice may also be published in a newspaper of general circulation in the District of Columbia.

553.2 The notice shall state as follows:

- (a) The rate under consideration by the Director;
- (b) The date, time, and location of a public hearing to be held by the Director on the proposed rate, or a statement that the date, time and location will be specified in a forthcoming notice;
- (c) The time period during which written comments may be submitted for consideration by the Director; and
- (d) The requirements of § 554 of this chapter.

## **554 PUBLIC HEARING**

- 554.1 The hearing shall be conducted not earlier than thirty (30) days after publication of the notice specified in § 553.1 of this chapter.
- 554.2 The Director, or his or her designee, shall conduct the public hearing.
- 554.3 Any member of the public who wants to testify at the public hearing shall submit his or her name, and the name of any organization(s), if any, which he or she represents, to the Department at least three (3) days before the date of the hearing, except that this requirement may be waived by the Director at the hearing.
- 554.4 Statements of members of the public who are testifying on their own behalf shall be limited to five (5) minutes, and statements of those who are appearing on behalf of organizations shall be limited to ten (10) minutes, except that this requirement may be waived by the Director at the hearing.
- 554.5 Others present at the hearing who wish to be heard may testify after those on the witness list have been called and heard.
- 554.6 If, in the opinion of the Director, or his or her designee conducting the hearing, a witness is abusive or unruly, such that his or her behavior is disrupting the conduct of the hearing, the Director, or his or her designee conducting the public hearing may call for a recess, order the witness to cease the behavior, or order the witness to leave the hearing. A person who is ordered to leave a hearing may submit written comments, pursuant to the requirements of this section.
- 554.7 In addition to, or in place of, oral testimony, members of the public may submit written testimony or comments during the period specified in the notice of proposed ratemaking. Either form of comment shall be given equal weight.

**555 ADOPTION OF STORMWATER FEE**

- 555.1 Following the completion of the hearing and the comment period specified in the notice of the proposed stormwater fee adjustment, a rate may be established or adjusted by the Director.
- 555.2 An approved stormwater fee shall take effect on the date identified in the final rulemaking published in the D.C. Register.

**556 STORMWATER FEES**

- 556.1 Beginning October 1, 2008, the stormwater fee collected from each District of Columbia retail water and sewer customer shall be as follows:
- (a) For single family homes, the fee shall be one dollar and ninety-eight cents (\$1.98) per month or twenty-three dollars and seventy – six cents (\$23.76) per year;
  - (b) For multifamily residential buildings, the fee shall be equal to four and four tenths percent (4.4%) of the charge for water and sewer services; or
  - (c) For all other properties, the fee shall be equal to six and three tenths percent (6.3%) of the charge for water and sewer services.
- 556.2 A landlord shall not pass a stormwater charge to a tenant that is more than the stormwater charge prescribed by the Director.

**DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT**

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**NOTICE OF PROPOSED RULEMAKING**

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The Chief of Police, pursuant to the authority set forth in § 101 of the Metropolitan Police Department Amendment Act of 2006 (the “Act”), effective March 6, 2007, D.C. Law 16-223, 53 DCR 10221, hereby gives notice of her intent to adopt the following rules to provide the procedures to be followed for service of process upon sworn members of the Metropolitan Police Department.

The Chief of Police also gives notice of intent to take final rulemaking action to adopt these rules in not less than thirty (30) days.

These proposed rules will amend Chapter 20 to Title 6A “Police Personnel” District of Columbia Municipal Regulations (DCMR) as follows:

Sections 2000 – 2009 and their subsections are repealed.

**CHAPTER 20                      SERVICE OF PROCESS**

Secs.	
2000	Purpose
2001	Service of Subpoenas
2002	Service of Summonses

**2000                      PURPOSE**

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|--------|--|
| 2000.1 | This chapter prescribes policies and procedures to be followed by any person seeking service of process upon members of the Metropolitan Police Department in connection with a legal matter arising out of the performance of their official duties for the Department. |
| 2000.2 | These policies and procedures shall not apply to service of process for legal matters which do not arise out of a member’s performance of his/her official duties for the Department.  |

**2001 SERVICE OF SUBPOENAS**

2001.1 A person seeking to serve a subpoena upon a member of the Department in connection with a legal matter arising out of the performance of his/her official duties may request that the Department facilitate service upon the member by presenting the following documents to the Court Liaison Division, located in the Metropolitan Police Department Headquarters, 300 Indiana Avenue, NW, Washington, DC 20001:

- a. The subpoena to be served; and
- b. Written certification from the party or his/her attorney (if the party is represented), upon whose behalf the subpoena is being served, that the subpoena arises out of a legal matter concerning the member's performance of his/her official duties.

2001.2 Upon presentation of the certification and the subpoena, the Court Liaison Division shall issue a receipt upon which is noted the time and date that the Court Liaison Division received such documents.

2001.3 The Court Liaison Division shall facilitate service of the subpoena by transmitting notification to the member's unit through the Computer Assisted Notification System (CANS) of the name and number of the case; the date, time, and nature of the event (hearing, deposition, or trial); the name and contact information of the party and/or his/her attorney, upon whose behalf the subpoena is being served; and other relevant information contained in the subpoena.

2001.4 Service shall be deemed complete when the member is served with the CANS notification by the CANS Officer, an official, or other designated member at the member's unit.

2001.5 A party or his/her attorney (if the party is represented) may contact the CANS Officer of the relevant unit to ascertain whether a CANS notification has been served upon the member.

**2002 SERVICE OF SUMMONSES**

2002.1 A person seeking to serve a summons and complaint upon a member of the Department in connection with a civil lawsuit arising out of the performance of his/her official duties may request that the Department facilitate service upon the member by presenting the following documents to the Court Liaison Division, located in the Metropolitan Police Department Headquarters, 300 Indiana Avenue, NW, Washington, DC 20001:

- a. The summons and complaint to be served; and
  - b. Written certification from the party or his/her attorney (if the party is represented), upon whose behalf the summons and complaint are being served, that the summons and complaint are connected with a civil lawsuit arising out of the member's performance of his/her official duties.
- 2002.2 Upon presentation of the certification and the summons and complaint, the Court Liaison Division shall issue a receipt upon which is noted the time and date that the Court Liaison Division received such documents.
- 2002.3 The Court Liaison Division shall facilitate service of the summons and complaint by transmitting such documents to the member's unit within 48 hours of receipt.
- 2002.4 The CANS Officer, an official, or other designated member shall deliver the summons, complaint, and an acknowledgement form to the named member within 48 hours of the unit receiving the summons and complaint from the Court Liaison Division.
- 2002.5 The named member may accept service of the summons and complaint by transmitting, within twenty (20) calendar days of the complaint and summons being received by the Court Liaison Division, the completed and signed acknowledgment form to the party or his/her attorney (if the party is represented) filing the complaint.
- 2002.6 Service shall be deemed complete when the member signs and dates the acknowledgement form.
- 2002.7 If the named member fails to transmit a completed and signed acknowledgment form to the party or his/her attorney (if the party is represented) within twenty (20) calendar days of the complaint and summons being received by the Court Liaison Division, the summons and complaint shall not be deemed served.
- 2002.8 If the named member fails to transmit a signed acknowledgment form to the party or his/her attorney within the requisite time, he/she is subject to being served personally at his/her unit.
- 2002.9 Members shall make themselves available for service of process when physically at their units and shall not attempt to evade service.
- 2002.10 If a member fails to make himself/herself available for service when physically at his/her unit or otherwise attempts to evade service, he/she may be subject to discipline.

Comments on the proposed rulemaking should be submitted, in writing, to Mr. Terrence Ryan, General Counsel, Metropolitan Police Department, Room 4129, 300 Indiana Avenue NW, Washington, D.C. 20001, within thirty (30) days of the date of the publication of this notice in the D.C. Register. Additional copies of these proposed amendments are available from the above address.



## OFFICE OF TAX AND REVENUE

## NOTICE OF PROPOSED RULEMAKING

The Office of Tax and Revenue (OTR), pursuant to the authority set forth in the D.C. Official Code § 1-204.24c, as amended by Section 155 of the District of Columbia Appropriations Act 2001, approved November 22, 2000 (114 Stat. 2476; Pub. L. 106-522) and the Office of the Chief Financial Officer, Financial Management and Control Order No. 00-5, effective June 7, 2000, hereby gives notice of the intent to repeal subsection 103.4 of Chapter 1, Income and Franchise Taxes, of Title 9 of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

Subsection 103.4 is amended as follows:

**103.4 Repealed**

All persons desiring to comment on the subject matter of this proposed rulemaking should file comment in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Mr. William Bowie, Acting Deputy General Counsel, General Counsel Office, Office of Tax and Revenue, 941 North Capitol Street, NE, 8<sup>TH</sup> Floor, Washington, DC 20002. Copies of this rule and related information may be obtained by writing to the person at the address provided above.